

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) RANDY BLAKE PATTERSON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-15-1204-HE
)	
(1) NATIONAL BOARD OF MEDICAL)	
EXAMINERS,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant, National Board of Medical Examiners (“NBME” or “Defendant”) hereby removes to this Court the state action described below:

1. On or about September 29, 2015, Plaintiff Randy Blake Patterson (“Plaintiff”) filed the proceeding styled *Randy Blake Patterson v. National Board of Medical Examiners*, in the District Court of Oklahoma County, Oklahoma, Case No. CJ-2015-5283.

2. On or about October 6, 2015, Plaintiff served Defendant with the Summons and Petition. Pursuant to 28 U.S.C. § 1446, a copy of the docket sheet and a copy of all documents served upon NBME or filed in the state court action are attached hereto as Exhibits 1 (Petition), 2 (summons returned), and 3 (docket sheet).

2. Defendant has filed and served this Notice of Removal within 30 days of receipt of the summons and petition. Accordingly, this Notice of Removal is timely filed under 28 U.S.C. § 1446(b).

3. Following are all parties to this case and their counsel of record:

Plaintiff: Randy Blake Patterson

Counsel of Record: Steven E. Clark, OBA No. 1712
Heather Mitchell, OBA No. 14035
Clark & Mitchell, P.C.
101 Park Ave., Suite 210
Oklahoma City, Oklahoma 73102
(405) 235-8488
(405) 235-7979 (Fax)

Defendant: National Board of Medical Examiners

Counsel of Record: Jack S. Dawson, OBA No. 2235
Amy L. Alden, OBA No. 16978
MILLER DOLLARHIDE
210 Park Avenue, Suite 2550
Oklahoma City, Oklahoma 73102
(405) 236-8541
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4. The district courts of the United States have original jurisdiction over this action based on diversity of citizenship among the parties, in that Defendant is now and was at all material times diverse in citizenship from Plaintiff. Defendant is not and was not at the time the suit was commenced a citizen of the State of Oklahoma.

5. Plaintiff is an individual who resides in Oklahoma County, Oklahoma, now, and at the time this action was commenced in said county. Plaintiff is now and was at that time a citizen of Oklahoma.

6. Defendant is a not for profit corporation organized under the laws of the District of Columbia, with its principal place of business now, and at the time this action was commenced, at 3750 Market Street, Philadelphia, Pennsylvania 19104. Defendant is now, and was at the time this action was commenced, a citizen of the District of Columbia, and the

Commonwealth of Pennsylvania and not of the State of Oklahoma.

7. The amount in controversy in this action exceeds, exclusive of interest and costs, the sum of \$ 75,000. Plaintiff's Original Petition, attached to this notice, asserts a claim against Defendant in excess of \$ 75,000.

8. Removal of this action is proper under 28 U.S.C. § 1441, since it is a civil action brought in a state court, and the federal district courts have original jurisdiction over the subject matter under 28 U.S.C. § 1332 because the Plaintiff is diverse in citizenship from the Defendant.

9. The United States District Court for the Western District of Oklahoma is the federal district court within which the above-described Oklahoma County, Oklahoma District Court case is pending.

10. As required by 28 U.S.C. § 1446(d) and affirmed in the attached Certificate of Service, Defendant has served Plaintiff with this Notice of Removal.

11. A copy of this Notice of Removal shall be promptly filed with the Clerk of the District Court of Oklahoma County, Oklahoma, all pursuant to 28 U.S.C. § 1446(d).

12. The documents included in Exhibits 1 through 3 constitute all of the known process, pleadings and orders that have been served upon or by Defendant to date. Additional process, pleadings and orders filed in the District Court for Oklahoma County, Oklahoma, if any there may be, will be filed as an addendum to this notice within 10 days.

Dated: October 26, 2015

Respectfully submitted,

/s/ Amy L. Alden

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2015, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and served the attached document by first class mail, postage prepaid, to all counsel of record addressed as follows:

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Attorneys for Plaintiff

/s/ Amy L. Alden